



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Birdsall, et al. : Group Art Unit: 1733
Serial No.: 10/029,553 :
Filed: 12/20/2001 :
For: Profiled Stent and Method of Manufacture : Primary Examiner: Thaler, M.
Atty. Docket No.: P105 CON 3 :

Mail Stop: AF
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated June 4, 2003, finally rejecting claims 20-41.

09/09/2003 MGEBREM1 00000039 012525 10029553

01 FC:1401 320.00 DA

RECEIVED

OCT 06 2003

TECHNOLOGY CENTER R3700

The Commissioner is authorized to charge Deposit Account No. 01-2525 in amount of \$320.00 to cover the fee for this Notice of Appeal. Further, the Commissioner is authorized to charge any additional fees that may be due to the same Deposit Account No. 01-2525. A duplicate copy of this Notice is enclosed herewith.

Respectfully submitted,

Sept 3, 2003

Janis Biksa

Janis J. Biksa
Registration No. 33,648
Attorney for Applicants
Medtronic Ave, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
(707) 566-1888

CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in the envelope addressed to the: Mail Stop AF, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: Sept. 4, 2003

Nancy P. Bean
Nancy P. Bean